

**M. Jodi Rell**  
Governor

**Robert Farr**  
Chairman

# STATE OF CONNECTICUT



**TELEPHONE**  
**(203) 805-6605**

**FAX**  
**(203) 805-6358**  
**(203) 805-6652**

## **BOARD OF PARDONS AND PAROLES** 55 West Main Street - Waterbury, CT 06702

Victim Advocates through the Office of Victim Services  
Carmen Sierra, Victim Advocate – direct phone line: (203) 805-6595  
Melissa Zavickas, Victim Advocate – direct phone line: (203) 805-6687  
Parole and Community Service Manager for the Victim Service Unit of the Board  
Jessica Bullard, P.O. – direct phone line: (203) 805-6626

This serves as a brief summary of the options available to a victim (or the legal representative of a victim) within the Parole or Pardon hearing process.

Since not all persons registered to be notified of the various events occurring within an offender's time while incarcerated are victims of such offender the following definition is supplied. Should you have any questions regarding your status please call any of the staff members at the above listed phone number.

The Board of Pardons and Paroles uses the definition of a "victim" found in the Connecticut General Statutes 54-126a (a). This section discusses the testimony of a victim at a parole hearing and defines a victim as "...the victim, legal representative of the victim or a member of the deceased victim's immediate family." The following is provided for your convenience.

**Sec. 54-126a. Testimony of crime victim at parole hearing.** (a) For the purposes of this section, "victim" means a person who is a victim of a crime, the legal representative of such person, a member of a deceased victim's immediate family or a person designated by a deceased victim in accordance with section 1-56r.

(b) At a hearing held by a panel of the Board of Pardons and Paroles for the purpose of determining the eligibility for parole of an inmate incarcerated for the commission of any crime, such panel shall permit any victim of the crime for which the inmate is incarcerated to appear before the panel for the purpose of making a statement for the record concerning whether the inmate should be released on parole or the nature of any terms or conditions to be imposed upon any such release. In lieu of such appearance, the victim may submit a written statement to the panel and the panel shall make such statement a part of the record at the parole hearing.

(c) Nothing in this section shall be construed to prohibit the board from exercising its discretion to permit a member or members of a victim's immediate family to appear before the panel and make a statement in accordance with subsection (b) of this section.

This statute is quoted from P.A. 08-1

The victim has the right to participate in the hearing as follows:

The victim (and members of his or her family or support system) can attend the full panel hearing of the Board of Pardons or hearing of the Board of Paroles and provide testimony for the record (please see the section below involving audio recording). Requests by the victim, legal representative of the victim, or any member of a deceased victim's family to address the panel verbally should be made to the panel through the Victim Advocate. Pursuant to Public Act 08-1, "such panel shall permit any victim of the crime for which the inmate is incarcerated to appear before the panel for the purpose of making a statement for the record concerning whether the inmate should be released on parole or the nature of any terms or conditions to be imposed upon any such release. In lieu of such appearance, the victim may submit a written statement to the panel and the panel shall make such statement a part of the record at the parole hearing. Nothing in section 54-126a of the general statutes shall be construed to prohibit the board from exercising its discretion to permit a member or members of a victim's immediate family to appear before the panel and make a statement as set forth above." All other interested parties who are not victims, family members of a minor victim, or the legal representative of a victim can and are encouraged to write statements submit a written statement to the panel and the panel shall make such statement a part of the record at the parole hearing for the purpose of making a statement for the record concerning whether the inmate should be released on parole or the nature of any terms or conditions to be imposed upon any such release." These statements are not confidential and may have to be disclosed if a request is made to the Board under the Freedom of Information Act. (FOIA)

Please consider the following:

Do you have any concerns about presenting information to the Board that you do not want the inmate to hear? Please contact a staff member regarding this issue.

Are you concerned about being seen or heard by the offender at the hearing? Please contact a staff member regarding this issue.

**\*\* Please be advised that all parole hearings are audio recorded.** Per statute the verbal statements made by a victim (or their representative) will be recorded as a part of the official record. Should you have any questions regarding this procedure and your role in it please feel free to call at any time.\*\*

**\*\* Please be advised that some hearings may be recorded by CTN for later broadcast** on their public television station. An advocate will notify you if CTN is coming to record the hearing as soon as this office is made aware of their planned presence. Should you have any questions regarding this procedure and your role in it please feel free to call at any time.\*\*

- The victim can write a victim impact statement to the board indicating their feelings regarding the possibility of parole release or pardon. Please see the attached form regarding what should be included in this statement and where it should be sent when completed. The victim can meet with an advocate either at this office or at an agreed upon location in the state of Connecticut to complete their Victim Impact Statement if they feel that they are in need of assistance in completing it. \*\*Please note that, per statute 54-126a, the victim impact statement will be included as a part of the public record.
- The victim or registered party can choose not to participate actively in the hearing, but still be notified of the board's decision and informed of reasons for denial or what stipulations have been set for the supervision of the inmate (if paroled).
- The victim or registered party may choose not to involve themselves in any of the above options and simply be notified via U.S. mail of events as they arise.

Whatever the decision is it is imperative that it is communicated to the Advocate so that the Board can properly address the registered person's interests.

If you have not already registered to be notified of events occurring with an offender please consider doing so. You are encouraged to contact the following agencies and inquire about registration with both agencies: the

Office of Victim Services by calling (800) 822-8428 and the Department of Correction, Victim Services Unit by calling: (888) 869-7057. Please be advised that you can register for notification with the Office of Victim Services the Victim Advocates assigned to the Board also. The offender will not have knowledge of your registration and you will be notified of all events that both agencies are authorized by statute to notify you of.

If you are registered, is your contact information up to date with the agencies with whom you are registered? Please make sure. If not, contact will not be able to be made with you.

Please give these options some thought and respond as soon as possible. Your prompt response is appreciated. The Victim Service Unit looks forward to hearing from you in the future.

## **BOARD OF PARDONS AND PAROLES**

### **VICTIM IMPACT STATEMENT**

#### **SUGGESTIONS OF WHAT TO INCLUDE AND QUESTIONS THAT SHOULD BE GIVEN THOUGHT**

Please understand that statements provided by victims (as defined in Ct. General Statutes, Sec. 54-126a and Sec. 54-130d) to the Board for inclusion in a parole or pardon applicant's file are a part of the public record. Please be advised that it is always possible that the Board will receive a Freedom of Information inquiry from any member of the public, including the inmate themselves and the media. Should this occur all documents in the possession of the Board would be reviewed for release under the requirements of the Act.

Material provided by persons that are not victims (or legal representatives of a victim, or an immediate member of a deceased victim's family) of the offense cannot be withheld. For instance a community group that provides a petition signed by numerous persons does not enjoy the same protection.

Statements provided to the Board are reviewed in the executive session of the parole or pardon hearing and are not addressed publicly within the hearing itself. They are, however, still a part of the public record.

Please bear in mind that there are no limitations on the length of the statement provided to the Board nor are the statements edited for length or content. Having said this it is best to provide your statement as soon as possible prior to the hearing so that there is ample time for the panel of the Board to read and absorb your comments.

It is helpful to review statements that you have provided to other agencies (the court, the Office of Victim Services, and the Department of Correction – Victim Service Unit) in the past and determine if your feelings have changed since that time. If you have these statements and wish to provide them to the Board please do so.

Please consider mailing them or faxing them to the address or fax number provided on the letterhead to the attention of the Victim Services Advocate.

#### **Items that should be included in the Victim Impact Statement to the Board.**

- Does the crime still affect you (as the victim or the parent of a minor victim, etc.) emotionally? If so, how?
- For the parent of a minor victim: how has this offense affected the victim's emotional and physical wellbeing. How is the victim doing now?
- Has this crime affected your (as the victim or the parent of a minor victim, etc.) family and loved ones? If so, how?

- Do the victim or the family members of the victim have any long-term mental health trauma requiring mental health treatment?
- Has the offender (his or her family or friends) attempted to make contact you in any way? If yes, in a way and have you felt threatened by this contact?
- For victims in parole matters: Do you have any specific fears regarding the possibility of this offender being released? If so, do you have any recommendations that you can share with the Board? Do you have any suggestions for special conditions of release if paroled?
- Is there any additional information that you feel would be of help to the Board in making its decision? Please write these thoughts down in your statement, but please keep in mind that you should not discuss events that did not lead to a conviction in the matter in which you are involved. The Board is required to provide a fair parole or pardon hearing to all applicants and therefore cannot consider events that have not led to a conviction for this applicant. Should you have questions in this matter please contact and advocate at any of the provided phone numbers.
- Would you like to be notified of the Board's decision as well as the reasons for denial if parole is denied or the special stipulations that were imposed for this inmate's supervision if paroled? If so, please provide this in your statement.

Please give thought to these questions and write up a statement to the Board including feelings concerning the items listed above. Should there be any other thoughts you have you are encouraged to share them, however please be aware that the Board cannot hear about issues not relating to the conviction for which you are the victim.

### **TYPES OF PAROLE AND DEPARTMENT OF CORRECTION RELEASES TO THE COMMUNITY THAT INMATES ARE ELIGIBLE FOR (THIS EXCLUDES PARDONS): TERMS AND DEFINITIONS**

Inmates are eligible for a variety of releases through both the Board of Pardons and Paroles and the Department of Correction. They are listed and summarized below for your information.

#### **Releases through the Board of Pardons and Paroles:**

**Discretionary Parole:** This is the form of parole for which the full panel hearing is held. An inmate serving a sentence of 2 yrs. 1 day or longer is eligible and is either eligible for consideration at 50% or 85% of the completion of their sentence minus time served credits as authorized by statute. Parole eligibility designation and offenses that are eligible are determined by statute. The hearing is held to determine if the inmate is suitable for release to the community. An inmate can be released to either a half-way-house or other residential facility or to a private residence. If an inmate is released to parole a parole officer from the Department of Correction, Division of Parole and Community Services will verify the suitability of the inmate's proposed residential plan. Once released the inmate is referred to as a parolee. This parole officer will also supervise the parolee and ensure that the parolee is abiding by the conditions of parole as set by the panel of the Board at the time of the hearing.

- A Full Panel Hearing defined: As discussed in Ct. General Statutes, Sec. 54-125a(a) Once an inmate has served at least one-half (50%) of their definite or aggregate sentence they are eligible to be considered for parole release in a hearing in front of a panel of no less than two members of the Board of Pardons and Paroles. The hearing is held to determine suitability for parole release. Suitability is determined by a variety of different factors including, but not limited to whether there is a "...reasonable probability that such inmate will live and remain at liberty without violating the law, and that such release is not incompatible with the welfare of society." In a full panel hearing of the board the inmate and the victim both verbally address the panel of the Board

\* **Definite sentence:** This is a sentence that is a given period of time as prescribed by the court and by statute. For example: a sentence of 5 yrs.; or a sentence of 10 yrs., execution suspended after 5 yrs., 10 yrs probation; or a sentence of 6 yrs., 5 yrs. Special Parole.

\* **Aggregate sentence:** This is a collection of different sentences that are to be served concurrently (at the same time) or consecutively (one after another). They can begin and end at different times throughout the total period of incarceration.

- **50% parole eligibility defined:** As discussed in Ct. General Statutes, Sec. 54-125a(a) any “..person convicted of one or more crimes who incarcerated on or after October 1, 1990, who received a definite sentence or aggregate sentence of more that two years, ands who has been confined under such sentence or sentences for not less than one-half of the aggregate sentence or one-half of the most recently imposed sentence, which ever is greater, may be allowed to go at large on parole in the discretion of the panel of the Board of Pardons and Paroles..”
- **85% parole eligibility defined:** As discussed in Ct. General Statutes Sec. 54-125a(c), the board is required to designate certain violent offenses committed on or after July 1, 1996 eligible for parole at 85% of their time served minus applicable credit. If the offense date is before July 1, 1996 the offense is designated 50% eligible. For details regarding which offenses are considered violent and therefore designated 85% please call an advocate.
- **75% hearing defined:** This hearing was created in 2004 as a part of Public Act 04-234 (now found in Ct. General Statutes: 54-125a(d)), which states in effect that any inmate whose application is denied parole at a hearing at 50% of their sentence must be heard again at 75% of completion of the sentence. At the time of this hearing the Board must provide very specific reasons why the inmates continued incarceration is required.

**Transfer Parole:** Transfer parole is a form of release created in 2004 as a part of Public Act 04-234 (now found in Ct. General Statutes: 54-125h). This form of release indicates that the Chairman of the Board of Pardons and Paroles may transfer any inmate from the correctional facility to any approved residence, mental health hospital, or residential program within eighteen months of their already approved parole release date as established by the board. This means that after a hearing if an inmate was granted parole for a date prior to their discharge date the Chairman can determine that this inmate should be released up to 18 months prior to this date to a residence as described above. All inmates eligible for discretionary parole are considered eligible for transfer parole.

**Special Parole:** Special Parole is not a form of release that an inmate is eligible for consideration of at any time during their incarceration. It is a form of supervision that an offender is sentenced to at the time of initial sentencing in court (there is no other means for an inmate to be on Special Parole.) The sentencing judge may provide the Board with a list of recommended stipulations that he or she feels is appropriate for the specific offender during the course of his or her supervision on Special Parole. The Board then establishes the conditions of Special Parole at the appropriate time in the inmate’s sentence. Most of the time offenders sentenced to a period of Special Parole are also sentenced to a period of incarceration to be served just before this Special Parole period begins. This incarcerated portion of the sentence is a discretionary parole eligible sentence (in length of time to be served and in offense) and there is a hearing for discretionary parole release prior to the release to Special Parole. Special Parole begins on the discharge date of the incarcerated portion of the sentence. This form of release is referenced in Ct. General Statutes Sec. 54-125e.

While a parolee is on Special Parole he or she is supervised by a parole officer assigned to the Department of Correction, Division of Parole and Community Services.

**For additional questions regarding these releases please call this officer at (203) 805-6626, (203) 805-6595, (203) 805-6687 or (800) 303-2884.**

**Releases through the Department of Correction:**

**Furlough:** A furlough is the temporary transfer of an inmate from incarceration to community custody for an authorized purpose under the supervision of a community sponsor. – per the Department of Correction, Victim's Handbook.

**Community Release:** The placement in the community of an inmate who remains in the custody of the Commissioner of Correction, including pretrial, Transitional Supervision, and residential programs. - per the Department of Correction, Victim's Handbook.

Often inmates who have been granted parole by the Board are also granted release to community release (in the form of a residential program) prior to their discretionary or special parole release date.

**Transitional Supervision:** This is a form of release that is a community based program for inmates serving sentences of less than two years. Such inmates are eligible for Transitional Supervision when they have completed 50% of their sentence minus credits. – per the Department of Correction, Victim's Handbook.

An inmate with a discretionary parole eligible sentence is not usually eligible for Transitional Supervision.

**For additional questions regarding these releases please call the Department of Correction Victim Service Unit at (888) 869-7057. The Department of Correction Victim's Handbook is available through the Victim Service Unit.**

**REQUEST FOR AN INMATE'S CONNECTICUT  
CRIMINAL HISTORY THROUGH THE DEPARTMENT OF PUBLIC SAFETY**

Please use the attached form to request a copy of an inmate's State of Connecticut Criminal History Record from the State Police. Please follow the directions and mail the completed application and check for the appropriate amount to the address provided on the form. The form is also available at [www.state.ct.gov/dps](http://www.state.ct.gov/dps)

This will allow you to know the offenses of arrest as well as the offenses of conviction.

Rev. 9/22/08